

quired by everybody as a cathartic, nor was ever any before so universaladopted into use, in every country and among all classes, as this mild but efficient purgative Pitt. The obvious reaon is, that it is a more reliable and far more effectual remedy than any

not, know that it cures their neighbors and friends, and all know that what it does once it does always - that it never fails through any fault or neglect of its composition. We have, and can show, thou-

into healthy action - remove the obstructions of the body, restoring their irregular action to health, and by correcting, wherever they exist, such derangements as are the first origin of disease. Minute directions are given in the wrapper on the box, for the following complaints, which these

ach and restore its healthy tone and action. For Liver Complaint and its various symp toms, Bilious Headache, Sick Headache, Jaundice or Green Sickness, Bilious Colic and Bilious Fevers, they should be ju-

liciously taken for each case, to correct the diseased action or remove the obstructions which cause it For Dysentery or Diarrhoea, but one mild dose is generally required.

For Rheumatism, Gout, Gravel, Palpitation of the Heart, Pain in the Side,

the system. With such change those complaints For Dropsy and Dropsical Swellings they duce the effect of a drastic purge.

mote digestion and relieve the stomach. of these Pills makes him feel decidedly better, from their cleansing and renovating effect on the digestive apparatus. There are numerous cases where

For Diseases of the Throat and Lungs, such as Coughs, Colds, Whooping

Probably never before in the whole history of medicine, has anything won so widely and so deeply upon the confidence of mankind, as this excellent remedy for pulmonary complaints. Through a long series of years, and among most of the races of men it has risen higher and higher in their estima tion, as it has become better known. Its uniform character and power to cure the various affections of the lungs and throat, have made it known as a reliable protector against them. While adapted to milder forms of disease and to young children, it is at the same time the most effectual remedy that cau be given for incipient consumption, and the dangerous affections of the throat and lungs. As a pro vision against sudden attacks of Croup, it should be kept on hand in every family, and indeed as all are sometimes subject to colds and coughs, all should be provided with this antidote for them. Although settled Consumption is thought in curable, still great numbers of cases where the dis ease seemed settled, have been completely cured. and the patient restored to sound health by the Cherry Pectoral. So complete is its mastery over the disorders of the Lungs and Throat, that the most obstinate of them yield to it. When nothtoral they subside and disappear.

cured by it.

Bronchitis is generally cured by taking the Cherry Pectoral in small and frequent doses.

Sold in Wilmington by E. WILLIS, J. W LIPPITT & Co., and all Druggists and Dealers everywhere. dec 24, 1868—74-eod1w-1tw

BROWN'S COTTON GINS

INGERSOLL'S COTTON PRESSES, DAWSON, TEEL & HENNING,

35 no-top Buggies, 6 standing-top Buggies,

OF THEIR OWN MAKE.

workmen, and WARRANTED twelve months.

will be taken in exchange. Less than one-half the Cotton necessary to purchase a Buggy in 1859 will pay for one now. They invite persons wishing to purchase to

examine their stock and make their own selec-A good supply of HARNESS kept on hand, Repairing done promptly at low rates.

Fayetteville, N. U., oct 13 State of North Carolina.

CASTERET COUNTY. SUPERIOR OURT.

N THIS ACTION, it appearing from the affidavit of the plaintiff, that the defendants, William A. Thomas and James M. Holmes, cannot, after due diligence, be found within the limits of this State, and that a cause of action the Wilmington Journal, a newspaper published in the city of Wilmington. N. C., notifying the said defendants that they are summoned to appear before His Honor, the Judge of the Superior Court of Carteret county, at the Court House in Beaufort, on the 9th Monday after the 4th Monthe complaint of the plaintiff, as on failure to answer the same, the plaintiff will apply to the Court for the relief demanded in said complaint.

sept 24 Witness, James Rumley, Clerk of the Superior Court of Carteret county, at Beaufort, the 4th ALL KINDS OF JOB WORK YEATLY AND EXPEDITIOUSLY EXECUTED AT THE

Wilmington Iournal.

WILMINGTON, N. C., FRIDAY MORNING, NOVEMBER 5, 1869

Calvin C. Gore)

and when he can appear and answer the said II. That a cause of action exists against said W. J. STANLY, J. P. complaint. III. That said defendant is not a resident of this State, but has interest in property therein,

DEING a private instructor for married per-D sons or those about to be married, both publication in the Wilmington Journal, a weekly male and female, in everything concerning the newspaper published in the city of Wilmington, physiology and relations of our sexual system, II. That a copy of the summons and complaint and the production and prevention of offspring, including all the new discoveries never before in this action be forthwith deposited in the Postgiven in the English lauguage, by WM. YoUNG, office by the said plaintiff, directed to the said M. D. This is really a valuable and interesting work. It is written in plain language for the general reader, and is illustrated with numerous Engravings. All young married people, or those expiration of the time of publication prescribed contemplating marriage, and having the least impediment to married life, should read this Given under my hand and seal of office Seal: at office in Kenansville, this 18th day of book. It discloses secrets that every one should be acquainted with; still it is a book that must be locked up and not lie about the house. It will be sent to any address on receipt of 50 cts. Ad-

dress, Dr. WM. YOUNG, No. 416 Spruce street, above Fourth, Philadelphia. AFFLICTED AND UNFORTUNATE.-No matter what may be your disease, before you place yourself under the care of any of the notorions QUACKS-native and foreign-who advertise in this or any paper, get a cory of Dr. Young'n Book and read it carefully. It will be the means of saving you many a dollar, your health, and possibly your life.

office, No. 410 Spruce street, above Fourth, Philadelphia.

Nervous Debility.

I. That service of summons be made by pubication in the Wilmington Journal, a weekly VENSON, No. 121 Nassau Street, New York. newspaper published in the city of Wilmington,

"CUBA."

witness testified that he was by occupation | bility to do the able counsel justice-the | raised. Remember when first schooner came up flagged. off No-Man's Land and put men aboard; pounders and two 12 pounders. Remem-I. That service of the summons be made by

newspaper published in the city of Wilmington. fully 15 or 20 miles from Highlands. II. That a copy of the summons and complaint in this action be forthwith deposited in the Postoffice by the said plaintiff, directed to the said defendant, at his usual place of residence, if the same be known to said plaintiff, and said summons shall be deemed to have been served at the expiration of the time of publication prescribed Given under my hand and seal of office, :Seal: at office in Kenansville, the 25th day of Isaac B. Kelly, Endorsee, Plaintiff, against Speight Hill, Calhoun Hill, Francis Hill, Buckner L. Hill, and Adolphus G. Moseley, defend-IN THE ABOVE ACTION, it appearing from I. That the defendant, Speight Hill, cannot, II. That a cause of action exists against said tug-fell in with schooner with coal some-III. That said defendant is not a resident of this State but has an interest in property there-I. That service of the summons be made by publication in the Wilmington Journal, a weekly newspaper published in the city of Wilmington, II. That copy a of the summons and complaint office by the said plaintiff, directed to the said defendant, at his usual place of residence, if the same be known to said plaintiff, and said summons shall be deemed to have been served at the

11. That a cause of action exists against said how he could do it-asked where was Gordon, and witness said on revenue cutter. This was all I saw of him that day. ket streets, and he wanted to know again if he couldn't go on the stand and testify. We met Dempsey and went into saloon and took a drink-Dempsey and Christian went out and had conversation.

Bernard Dempsey introduced by Government and examined by Mr. Phelps-Witness stated he was here in employment of Davis-saw Christian examined yesterday-had conversation with him Wednesday afternoon corner Front and Market streets-went in and had a drink Christian called me outside and said the Cuba men had treated him badly; had him in irons 12 or 14 days and he would testify against them, and offered to do it for \$20.

tion if he wanted to do that thing. Cross-examined by Mr. Davis-I never offered Corporal Reilley nor any other man

-Am an engineer aboard revenue cutter McCulloch-been following the sea 15

month of September after we left Halifax. sel was outside of a marine league from day, 12 o'clock. being no further evidence, Court adjourn- it must be shown which one of the officers | the ability and management of Mr. Phelps,

guments by counsel.

"CUBA."

Day's Proceedings_ Friday.

this was about 8 miles from shore-all of 5 | He spoke of our international obligations | reflect upon the action of the Government, miles when guns were taken off Charter and relations and the responsibility they he would ask, is it necessary for its honor Oak—these were two 60 pounders, two 30 entail. Great stress was laid upon the that its action should go farther, or that international code, that which was crys- these honorable gentlemen here should be ber when we anchored with coal schooner talized and took form in the act of 1818, arraigned under a criminal prosecution? off Montauk; it was all of 31 miles from the act of 1794 being more or less tempo- In defining the duty of the Comrary in its nature and provisions. The missioner the Government counsel duty of the Commissioner was two-fold, to had laid great stress upon the examine, first, if an offense has been com- question of probable cause and reasonmitted, and, second, if there is sufficient ble suspicion, but this question of probaground for the belief that the parties ble cause does not present anything deficharged are guilty. The fact of the Hornet nite—the question is, does the justice of coming in here as a man-of war was ad- the Government, upon the evidence, actumitted. It is shown in testimony that ally require that these men shall be bound when she left Philadelphia she was to all over? Under the neutrality act of 1818, it appearances a peaceable vessel—at Halifax is no offense to arm and fit out a vessel in net after parting with this schooner laid also she appeared thus, so that between the United States. The offense consist in leaving there and her arrival here she the intent to commit hostilities against a schooner with guns on board, coming up must have been fitted out as an armed nation at peace with the United States. from direction of sea. Then went into vessel. The question is whether she was Unless that fact is established, no offense about 5 miles of Gay Head and lay there— fitted out in the United States, and if any is proven. In what portion of the evidence land bore east by south—remained there of the officers charged were knowingly is it shown that it was at peace with Spain till Sunday morning getting guns on board. | concerned in fitting her out in the United | or any other nation? On the first examina-States. Messrs. Munro, Cook and Dornin tion it was contended by Government counwere evidently concerned. The intention sel that the ship was not a public ship, as existed when she left Philadelphia. A Cuba's belligerent rights not being rearound Montauk Point, just inside about manifestly as guilty as he who carries arms recognized no war between Spain and Cumile west of light. Hornet took in coal on board. As to the others, the question ba. Applying this to the defense the ship at Halifax; but no ship stores. Sailed un- is whether they were knowingly con- could not be fitted out for war against der American flag from Halifax and until cerned in the armament of this vessel Spain, when the Court had no judicial in this action be forthwith deposited in the post- Cuban flag was raised and ship regularly within the limits of the United States. knowledge that there was a war with commissioned-I signed the articles at The territory of the United States is that Spain. The prosecution has failed to es-Re-examined by Mr. Davis-It was about | which the authority of the United States | must be proven as any other questions of 15 or 20 miles from shore when steam-tug extends-wherever it has dominion and facts. The intent to wage war with a nation came up. Hornet was in same condition jurisdiction and bears sway. A vessel of with whom we are at peace, is the very life as now except her armament and supplies a country is a part of the territory of that of an offense-take away that and no ofwhen we left Philadelphia. Port-holes country wherever she may be-this doc- fense exists. As to the question of juris-The Government here introduced Wm. | books. The United States always has and | that the fitting out occurred within the ju-Shields, witness for the prosecution; ex- always will assert and maintain its control risdiction of the United States. The juamination conducted by Mr. Phelp3-Wit- and jurisdiction over certain waters con- risdiction over contiguous waters was exness stated that he was here in the employ | tiguous to its coast. Whether a vessel be | tended to within a marine league of the of Mr. Davis, of New York. Remember in 2, 3, 6 or 10 miles of the shore she is shore for the protection of the revenue inseeing witness, Christian, before-had within the jurisdiction of the United terests, and it is in absurdity to suppose conversation with him corner of Front and States. The testimony of witnesses that the territorial limits of the United Dock streets Wednesday afternoon—he abundantly prove that this vessel was States cover the great extent on water as P. Ingraham, G. W. DuBose, R. Somers, H. S. this State, but has an interest in property there- came up to me and told me he knew I was actually within a marine league of the claimed by counsel. It was assumed that from New York, and asked what I thought shore. In contradiction of Gordon's test the Court must exclude from consideration I. That service of the summons be made by of the Cuba. I couldn't give him any sat- timony, under the ruling of the Court, all the testimony of Gordon, and this asisfactory answer-he said he had been the whole ship's company might have been sumption the counsel proceeded to subkept intirons 15 days on Cuba and wanted | brought forward; but why did they not | stantiate. Gordon was an accomplice, an to get square with them, and asked witness | bring them? Not one word has been accomplice who became such with the to ascertain the truth and maintain the officers, so far as the Court knows, never

> He stated that in almost every instance in United States to join the ship and avoid the various decisions of the Supreme Court any violation of the neutrality act. A on the act of 1818, it had been where the lengthy examination and scrutiny of the ship was on trial and not the officers that testimony of the witnesses regarding the the statute had been construed. He agreed position of the vessel at Montank Point with the Government counsel about the was here made. And whenever the juspropriety of the neutrality laws. The tice of a government becomes linked with counsel might have been weak in their spies and informers, then good-bye to the judgment when they introduced only saf- liberty of the citizen. It was denied that ficient testimony to rebut the testimony of the Government had done it, but it was Gordon : but when the Court ruled that the screening of vultures above the carcase. the testimony of the defendants was ad- | And here the New York detectives who missible, the same door was open to the | were active in the prosecution were severely years—have been in the navy—was in the prosecution as to the defense. If the coun- commented upon, and their action in ac- was called to the Chair, and Col. Roger city for about eight years.

JUSTICE'S COURT. September 25. '69 Augusta in 1863, a side-wheel steamer of set on the other side were not satisfied with companying the Government witnesses and Moore and M. Cronly, Esq., appointed 1,310 tons old measurement, carrying 6 the testimony introduced, why did they attempts to corrupt the crew of the vessel Secretaries. years and drawing 12 feet water. Was off not call other defendants on the stand? stated. And in this connection a just and el- On motion of Col. Atkinson, a commit Revice by Publication Profiles that the said Calvin O. Gore has this 3 weeks—anchored there in 1 mile of No. New York detections and the said to the loyalty, tee of five gentlemen were appointed by 3 weeks -anchored there in 1 mile of No- New York detectives, who appeared so ea- devotion and faithfulness of these men to the Chair to draft resolutions expres-Man's Land several times-was ashore ger in the prosecution here, some very cut- their officers. In this prosecution there is sive of the sense of the citizens regarding quite often for provisions-I am sure it ting blows. The ship is not on trial-the more than the honor of the Government | the proposed lease. This committee was was not over ‡ of a mile. We lay on west ship may be guilty in law and every officer concerned—the liberty of the citizen is at made to consist of Col. J. W. Atkinson, side of island in about 5 fathoms water. and man on her innocent—she may be stake that which is co-existent and wrapped Don. McRae, Esq., Dr. A. J. DeRosset, Cross-examined by Mr. Davis-It was condemned in a libel case if facts appear up with the honor of the Government and Maj. J. A. Engelhard, Dr. W. W. Harriss. pleasant weather while we were there -we as charged, and then every man on trial without which no republic can exist. were at anchor about a day and a half at be positively innocent. Have any of these Mr. Phelps, for the prosecution closed and reported the following resolutions : officers been guilty of fitting out this ves. the argument. His remarks were brief, The defense here introduced Mr. Kear- sel for hostile purposes? With the Gov- stating that the point to be determined nev-Examined by Mr. Davis, witness tes- ernment rests the affirmative, and it must was not that war exists between Spain and tified had followed sea for years was a make out its case there must be proof Cuba, but that the vessel had been fitted the said North Carolina Railread Company on commissioned officer in U. S. army during positive on every one of the points charged. out and armed for hostilities against Spain, the war, and now an engineer. Was in the It does not appear to the Court judicially with which the United States is at peace; Hornet while taking in coal off Montank that the Government is at peace with and whether the intent to commit hostili-Point, which was then between 3 and 4 miles | Spain-the case must be made out in this | ties existed. If the vessel was brought from shore. I shipped in Philadelphia on respect-it is a material part that this fact within the jurisdiction of the United States, Hornet as a fireman for Queenstown—was shall be attested by the proper State docu- then there is no doubt of the fact that the which allows that Company to extend its road on or about Sept, 12 when left Halifax. ment presented in Court. Gordon's testi- officers were knowingly concerned in fit-Cross examined by Mr. Phelps-I am mony doesn't show that the officers of this ting her out. The question of the jurisnot familiar with the coast or position of ship had armed and fitted it out or had diction of the Government at sea and the lights-joined Hornet in Philadelphia and anything to do with it. This proposition position of the vessel while arming were stock, it will not, after deducing interest upon left there about Aug. 14. Didn't see Drs. covers the case : Whether or not one or then argued at some length. McNulty and DuBose came on board there more of these parties on trial were con- The Commissioner, at the conclusion of

of Commodore Higgins and his Officers, At noon yesterday Commissioner Ruther-

THE UNITED STATES

The Officers of the S. S. Cuba.

In this case, the Defendants, twenty-four in number, are charged with a violation of the 3d section of the act of Congress of April 20th. 1818, known as the Neutrality Law, the charge being "that they did fit out and arm, and did procure to be fitted out and armed within the imits of the United States, a certain ship or vessel, called the "Cuba," with intent that the said vessel shall be employed in the service of the Chairman was requested to forward a copy people of Cuba to cruise and commit hostilities

Without any intention to reflect upon

'CUBA.'

against the people of Spain, a country with which the United States is at peace." I have carefully reviewed the testimony given on the examination, and considered the arguments of counsel, as well as the cases cited in support of their positions, and am of the opinion that but two acts are shown to have been committed within the limits of the United States rom which an intent to violate the Neutrality Laws can be inferred. These were: First, the enlistment of the witmess James Gordon, Jr. by D. D. Munro, one of the defendants; and with this act no one but the defendant Munro is shown to have been connected. Second, the act of taking on board a cargo of coal from the schooner "James Predmore." The testimony of all the witnesses unite in showing that this coal was taken on board the "Cuba" while she was lying in Long Island Sound, inside Montank Point, and therefore clearly within the limits of the United States, even though she was more

than three miles from the shore. 'Onba" at the time she received the arms, stores and men from the "Petrel," the "barter Oak," the "Virginia Seymour," I believe that she was more than a marine league from land, and without the inrisdiction of the United States.

The evidence, as well of the prosecution as o the defense shows that some of the defendants were merely passengers bn the vessel, who had taken passage at a foreign port, and that others had joined her on the high seas; that these pertrol over the vessel or its crew until after the arms had been put on board and the coal shipped, and not until the "Cuba" was on the high seas | shadow of gloom was apparent on the counand beyond the limits and jurisdiction of the

It is claimed by the defense that as no proof has been offered by the prosecution that the United States is at peace with Spain, this being, as they claim, a material point of the charge made against them, that the Commissioner cannot take judicial notice of the fact, and that the prosecution having failed to prove it as a fact, the whole charge falls to the ground. With this view of the case, I cannot agree: the Public Acts, Treaties, etc., made by the United States with foreign countries are judicially noticed by the Courts of the United States, and the fact that peace exists between the United States and Spain is a public matter affecting the whole people and

Much has been said by both the prosecution and the defense upon the duties of a Commissioner as a committing magistrate, the prosecution taking the ground that it was the province of the Commissaioner merely to inquire into the matter and ascertain if the offense charged had been committed, and if this fact appeared, it was then his duty to hold for trial any person or persons whom there was "probable cause" to believe had committed the offense. What may be "pro bable cause" must of course rest entirely in the discretion of the Commissioner under the different circumstances in each case; but in my opinion he would not be justified in committing a cita jury would not convict. The defendants, Edward Higgins, Thomas L.

Cooke, A. M. Mason, Antonio Munoz, Wm. H. Robinson, Stephen Kearney, Joaquim Aguiar, those continued, amounted to 70. Edward Toulas, John Mullay, W. J. Flaherty, are discharged. The defendants, David A. Telfair, D. D. Munro, Nicholas Esling, R. H. Gibson, W. D. Phillips, Louis French, and Jno. Lynch, will be required to give good and sufficient bail in the sum of Five Hundred Dollars each for their appearance at the next term of the District Court of North Carolina, to be held in the United States Court Room in the city of Wilmington, on any indictment that may be found against them, and in default of finding bail as aforesaid, that the said David A. Telfair, D. D. Munro, Nicholas Esling, R. H. Gibson, W. P. Puillipe, Louis French, and John Lynch stand committed for

ALLAN RUTHERFORD, United States Commissioner for the Cape Fear District of North Oarolins.

The Commissioner stated orally after reading the above decision that it had also come to his knowledge that the offense had been committed in the Eastern District of New York The officers named as being held for trial

at the District Court have given bail. The witnesses for the Government were committed to the custody of the Marshal to await the trial before the District Court.

PUBLIC MEETING. —In accordance with the proclamation of the Mayor, a meeting of aged 1 year and 11 months. the citizens of this city to take into consideration the proposed lease of the North

On motion, Mr. J. H. Neff, the Mayor,

RATES OF ADVERTISING

1 square, of 10 lines or less, for each and ever

Special Notices will be charged \$200 personal f reach and every insertion.

All Obituaries and private publications of every

character, are charged as a livertisements. No advertisement, reflecting upon privat e

NO. 39

character, can, under ANY CIRCUMSTANCIS, be

After retiring the committee returned Resolved. That the lease of the North Carolina Bailroad to the Raleigh and Gaston finilicad Company, which has lately been effected, and which is to be submitted to the Stockhol ers of the 11th day of November next for their ratifica-

tion or rejection, does not meet the approval of this meeting. 1st. Because we believe it to be a violation of the spirit of the charter of the North Carolina Railroad Company, and a fraud upon the Bond-

21. Because we know of nothing in the charter beyond its chartered limits, either by purchase or

3d. Because it is calculated, and we believe intended, to deceive the Private Stockholders, for bonds, dividend upon prefered stock, provision for a sinking fund to meet the boarded debt and other necessary expenses, pay the Private Stockholders more than three per cent.

4th. Because it has been leased for a totally inadequate price-the sum fixed for the lease being only \$240,000, while the published report of the President for the last fiscal year shows a clear profit of \$395,844, over and above all operating expenses—being an excess of \$156,844 over the amount of the lease, and an increase of \$80,245 over the receipts of the previous year. 5th. Because the certain increase in the future receipts of the road have not been regarded in the arrangement of the terms of the lease, while it must in a very few years render the amount of the lease still more ridiculously disproportionate

to the value of the road. 6th. Because it was secretly done, and was not let to fair, open, and honorable competition. purposes, to objects and uses decidedl hostile to the best interests of North Carolina.

Resolved further, That it is the sense of this ford entered the District Court Room held in this city, which amounts to more than meeting that the representatives of the stock where the preliminary investigation in one-tenth of the individual stock of the Company. this case has been conducted several days, held in Raleigh on the 11th of November next, should, at the meeting of the Stockholders to be and, on the opening of Court, read the fol- oppose the ratification of said lease, and to itsist, if it be necessary to lease the road at all. that it shall be done openly and fairly-giving to all parties a fair and equal opportunity to bid fer

DONALD MACRAE, JNO. W. ATKINSON, A. J. DEBOSSET,

The report of the committee was, on mo tion of Col. Moore, received and adopted

On motion of Maj. Engelhard, the of these resolutions to the Governor and State Proxy as expressive of the sense of of the citizens on the subject of the lease.

On motion the meeting adjourned. Dai ly Journal 30th.

RESPECT TO THE MEMORY OF JUDGE PERson. -At the Superior Court yesterday the announcement of the death of Hon. San't

Mr. Empie arose and said

" May it please the Court, "The Members of the Bar have selected me to announce to the Court the death of our beloved brother and friend, Sam'r. From all the evidence as to the position of the J. PERSON. This is not the time or the occasion to eulogize or to even speak of the the "Only Son," the "Martha Washington" and distinguished services of the deceased. All we can now do is to pay a passing tribute to his memory, and to ask your Honor to adjourn this Court for the remainder of this term. In order to - "Here the speaker's eyes became suffused with tears, sons had exercised no command and had no con- his voice refused him utterance, and he was compelled to take his seat. The

The Court in reply said :

"As a slight tribute of respect to the memory of departed worth, this Court stands adjourned."

tenances of all, and the scene was an af

Daily Journal 31st.

CONVICTIONS AT THE FALL TERM OF THE Superior Court.—During the two weeks, session of the Fall term of the Superior Court for this county (just terminated), Judge Russell presiding, remarkable dispatch has been used. Fully 175 cases have been tried and continued, the continuances being comparatively few in number. The convictions have been as follows : Larceny. 44; assault and battery, 16; affray, 6; fornication and adultery, 4; burglary 3; arson, 1; minor offenses, 31-total number izen for trial, and subjecting him to the great an- of convictions, 105. Some of the sentences noyance and expense attending such proceedings, in these cases have been imprisonment against the accused, and where it is evident that | for quite long terms in the penitentiary and workhouse.

> The cases in which a verdict of not guilty has been rendered, together with

When the Court adjourned yesterday morning the jail was clear of all prisoners except 10 from Robeson county, 3 or 4 held for costs, and 2 not tried, having of the United States for the (ape Fear District committed offenses of larceny since the discharge of the grand jury and conse-Monday the 1st day of November, 1869, to answer quently too late for presentments to be Daily Journal 31st.

> THE STANDARD .- Marcus Erwin, of Bun combe, a life-long Democrat and Seces sionist, is to be the Assistant Editor of Raleigh Standard.

MARRIED,

At the Catholic Church, on Thursday evening, October 28th, by the Rev. Father Gross, Mr. WALTER FURLONG and Miss KATE BRADY. both of this city.

In St. Paul's Evangelies Lutheran Church, Wilmington, on the evening of Thur-day, October 28, by the Rev. R. E. Terry, JOHN FREDE-BIOK STALTER and REBECCA CAROLINE eldest daughter of Claude Tienken, all of this

DIED. In Clinton, Sampson county, Oct. 10th 1869,

JOHN BRIGHT, son of J. B. and M. P. Brown,

In this city, on the 30th October, 1869, Mrs. ELLEN MADDEN, aged 71 years; a native of County Tipperary, Ireland, but a resident of this

His remains will be taken to Fayetteville, at 2

JAS, RUMLEY, O. S. C. S6-6w*

three months, in advance, 3 60 1 00 one month,

VOL. 25.

Isaac B. Kelly, Plaintiff.

Adolphus G. Moseley, Df'ts.

from the affidavit of the plaintiff-

I. That the defendant, Spaight Hill, after diligence, be found in the State.

I. That service of the summons be made by

. C., once a week for six weeks successively.

defendant, at his usual place of residence, if the

same be known to said plaintiff, and said sum-

mons shall be deemed to have been served at the

Clerk Superior Court, Duplin County, N. C. sept 24 33-w6w

Superior Court --- Duplin County.

N THE ABOVE ACTION, IT APPEARING

. That the Defendant, Spaight Hill, cannot,

II. That a cause of action exists against said

III. That said defendant is not a resident of

11. That a copy of the summons and complaint

in this action be forthwith deposited in the Post-

office by the said plaintiffs, directed to the said

defendant, at his usual place of residence, if the

same be known to said plaintiff's, and said sum-

mons shall be deemed to have been served at the

expiration of the time of publication prescribed

Scal; at office in Kenansville, this 18th Sep-

Clerk Superior Court, Duplin County, N. C.

Superior Court--- Duplin County.

N THE ABOVE ACTION, IT APPEARING

I. That the defendant, Spaight Hill, cannot,

II. That a cause of action exists against said

III. That said defendant is not a resident of

his State, but has an interest in property

publication in the Wilmington Journal, a weekly

J. D. SOUTHERLAND,

Clerk Superior Court Duplin County.

Superior Court---Duplin County.

N. C., once a week for six weeks successively.

September, A. D. 1869.

the affidavit of the plaintiff:

after due diligence, be found in the State.

N. C., once a week for six weeks successively.

expiration of the time of publication prescribed

Given under my hand and seal of office at of-

Superior Court--- Duplin County.

TN THE ABOVE ACTION, it appearing from

I. That the defendant, Speight Hill, cannot.

III. That said defendant is not a resident of

publication in the Wilmington Journal, a weekly

newspaper published in the city of Wilmington,

II. That a copy of the summons and complaint

office by the said plaintiff, directed to the said

defendant, at his usual place of residence, if the

same be known to said plaintiff, and said sum-

mons shall be deemed to have been served at the

expiration of the term of publication prescribed

Given under my hand and seal of office at of-

J. D. SOUTHERLAND,

Clerk Superior Court

Duplin County.

JOURNAL OFFICE.

fice in Kenansville, this October 5th, 1869.

N. C., once a week for siz weeks successively.

J. D. SOUTHERLAND,

Clerk Superior Court Duplin County, N. C.

Order for

) Publication

ice in Kenansville, this 4th October, 1869.

Against
Speight Hill, Defendant.

after due diligence, be found in the State.

the affidavit of the Plaintin:

Given under my hand and seal of office,

J. D. SOUTHERLAND,

Service by

Publication.

this State, but has an interest in property therein.

J. D. SOUTHERLAND,

Order for

Service by Publication.

September, A. D. 1869.

James H. P. Rhodes.

Benjamin F. Rhodes.

By their Guardian,

Against

Adolphus G. Moseley, D'fts.

after due di ligence, be found in the State.

Alexander D. McGewen, Plt'fs

Martha E. Rhodes.

Spaight Hill,

Calhorn Hill,

Buckner Hill,

from the plaintiffs-

N. O., for six weeks successively.

tember, A. D. 1869.

Wm. H. Williams, Pl'tff.

Adolphus G. Moseley, Def'ts.

from the affidavit of the plaintiff-

fter due diligence, be found in the State.

Spaight Hill,

Calhoun Hill,

Frances Hill.

Buckner L. Hill.

Frances Hill.

defendant

Spaight Hill

Buckner L. Hill,

Cathorn Hill.

Frances Hill.

v this order.

Magnolia Balm.

In the use of the Magnolia Balm lies the true secret of Beauty. No lady need complain of her Complexion who will invest 75 cents in this de-

Lyon's Kathairon is the best Hair Dressing in act 1

Ayer's Cathartic Pills,



tried it, know that it cured them; those who have

ands upon thousands of certificates of remarkable cares of the following complaints, but such cures are known in every neighborhood, and why hould we publish them? Adapted to all ages and conditions in all climates; containing neither calomel or any deleterious drug, they may be taken with safety by anybody. Their sugar coating preserves them ever fresh and makes them pleasant to take, while being purely vegetable no harm can arise from their use in any quantity.

They operate by their powerful influence on the internal viscera to purify the blood and stimulate it

For Dyspepsia or Indigestion, Listlessness, Languor and Loss of Appetite, they should be taken moderately to stimulate the stom-

Back and Loins, they should be continuously taken, as required, to change the diseased action of

should be taken in large and frequent doses to pro-For Suppression a large dose should be taken As a Dinner Pill, take one or two Pills to pro-An occasional dose stimulates the stomach and bowels into healthy action, restores the appetite, and invigorates the system. Hence it is often advantageous where no serious derangement exists. One who feels tolerably well, often finds that a dose

and where the virtues of this Pill are known, the public no longer doubt what to employ. Ayer's Cherry Pectoral,

a purgative is required, which we cannot enumer

ate here, but they suggest themselves to everybody

Cough, Bronchitis, Asthma, and Consumption.

ing else could reach them, under the Cherry Pec-Singers and Public Speakers find great pro-

So generally are its virtues known that it is unnecessary to publish the certificates of them here. or do more than assure the public that its qualities DR. J. C. AYER & CO., LOWELL, MASS.

WILMINGTON, N. C.

A. A. MCKETHAN & SONS OFFER FOR SALE, AT REDUCED PRICES,

3 sliding-seat top Buggies, for two or four persons, 15 Rockaways, for three or four persons,

For sale cheaper than they can be purchased, North or South, of the SAME cLASS OF in this action be forthwith deposited in the post-Made of best materials and by experienced

Cotton delivered in Favetteville or Wilmington,

Superior Court --- Bladen County. 14-6t-36-4t

Andrew S. Kemp, Executor of Neill Kelly, vs. W. A. Kelly, John E. Kelly, N. A. Kelly, Alice Kelly, Lucy J. Kelly, and M. A. Kelly, Heirs at Law of Neill Kelly. PETITION TO MAKE REAL ESTATE ASSETS. Hannah L. BELL, Plaintiff. T appearing to the Court that William A. against Kelly, a defendant in this cause, is a resident William A. Thomas and James M. Holmes, Di'ts. of another State, It is ordered, that publication be made in the Wilmington Journal, a newspaper published in the city of Wilmington, for six successive weeks, once a week, notifying him to appear at the office of the Clerk of the Superior Court for said county, on the first Monday in November, exists against said defendants : it is ordered that 1869, and show cause, if any he has, why the publication be made for six weeks successively in prayer of the petition should not be granted, and that in default thereof, the petition will be heard ex parte and a decree pro confesso will be rendered as to him. Witness, H. P. Crowell, Clerk of the Superior Court for Bladen county, the 16th day of Septem-H. P. OBOWELL, Clerk of the Superior Court.

Superior Court .-- Duplin County.

Reuben Long. Order for day sued out a Warrant of Attachment against him for the sum of Ninety-One Dollars, due by former judgment as co-surety to issac Long, returnable before W. J. Stanly, one of the Justices IN THE ABOVE ACTION, IT APPEARING of the Peace in and for Columbus County and State of North Carolina, on the 6th day of November, 1869, in the town of Whiteville, where

MARRIAGE GUIDE.

Dr. Young can be consulted on any of the diseases described in his publications, at his

THE UNDERSIGNED WHO SUFFERED FOR years from Nervous Debility, Premature Decay, and all the effects of youthful follies, will send (free of charge) information as to the means by which he effected a cure. Address G. R STE-

shore. When off Sandy Hook we were Cross-examined by Mr. Phelps-Had crew of 23 or 24 men when we left Philadelphia-Capt. Esling was in command from that time till Juban flag was hoisted. First land made after leaving Halifax was No-Man's Land-Hornet anchored about 4 miles from shore—met first schooner signal hoisted, blue, white and blue. Horaround there till next day when we met Schooner and steamer left at same time-Hornet went off Fire Island-saw steam where about Fire Island-brought her

met him again corner of Front and Mar-

told him I guess he would have protec-

\$100 to testify against the ship. Sam'l Chevers, examined by Mr. Phelps

first saw them some time during the cerned in fitting out the ship. If the ves- | the argument, reserved his decision till to-The testimony was closed here, and there | the shore, then nobody is guilty -if inside, | ed to Friday morning 10; o'clock, for ar- assisted in fitting out. As to the jurisdic- it could but be remarked that the prosecution over water, this is not decided by law. | tion missed the presence and able services [Here quoted from Kent's Commentaries of Judge Person, of which it was deprived regarding the doctrine of jurisdiction of a by his serious indisposition. country over contiguous seas. The gen-Argument of Connset in the Case of Com. eral impression is against it; and the genmodore Higgins and his Officers Eighth eral view by authorities is that the jurisdiction of a country extends no farther in . Decision of the Commissioner in the Case the State of North Carolina for North Carolina to the sea than cannon shot, that is, a ma-The Court met for the purpose of hear- rine league, and the Congress of the Uniing arguments from counsel. The fact ted States have recognized this limit. that the speeches would be made attracted Judge Meares here closed his remarks by Examination of Commodore Higgins and a large number of spectators. While we asserting again that the ship might be His Officers Seventh Day's Proceedings | will endeavor to convey to the reader's guilty without one of the officers or men. mind some idea of the character of the If others from the shore fitted out the ship, The Court resumed the examination yes- arguments, we by no means attempt to they were not here to day. The officers terday morning, when Jesse Hewett was give these speeches in full-and we confess here were mere lookers-on, and assumed introduced. Examined by Mr. Davis, in the limited space afforded us our ina- no authority till the Cuban flag was a seaman, had followed the sea for past 7 publication of their arguments in full Mr. Davis in opening his argument

vears-joined Hornet at Philadelphia would only do that. The speech of Mr. said that it was a misfortune that about August 14-Hornet left on 16th, Davis was especially able and eloquent and this cause should have been pre-Sunday—went down the river about 53 was highly appreciated. The arguments judged. The ship now lies in sight miles and was overhauled and seized by occupied something over four hours and a of this Court room dismantled, her crew revenue cutter Miami and carried back. half, yet the spectators' attention scarcely disbanded, the vessel seized and as much lost to the cause of Cuba to day as if al-Mr. Phelps opened for the Government. ready condemned. Without intending to man who carries a vessel to be armed is cognized by the United States, it whole extent, be it land or water, over tablish it in proof; and facts of history trine is fully laid down in the elementary diction over the sea it has not been shown heard from Commodore Higgins or Capt. avowed purpose of betraying his comrades Esling or the other officers, with the ex- for money. He has exhibited himself uuception of one or two, in regard to this trustworthy and had contradicted himself matter. [The testimony of Gordon, Gib- and been contradicted. | A sharp and son, Capts. Maffitt and Reed were then re- scathing review of Gordon's testimony viewed and criticized at much length; also was here made. But the question is not that of Chevers, Christian and Fowler. | whether the ship was fitted out, but wheth-This prosecution is instituted for no pur- er the defendents were concerned in fitposes of persecution or punishment, but ting her out. Commodore Higgins and honor and dignity of the Government in heard of the expedition of the vessel till tact. The Government does not prosecute; she arrived at Halifax. Did any of these

it clamors not for punishment, but for officers fit out the vessel within the jurisdiction of the United States? They had Judge Meares led off for the defense. - even taken the precaution to go out of the

Daily Journal 31st.

Carolina Railroad was held in the City

In this city, on the 28th instant, WILLIAM T. ANDERSON, formerly of Payetteville, North Carolina, aged 26 years 11 months. o'clock to-day, for interment.

day of October, 1869.